STATE OF NEW YORK

6061

2023-2024 Regular Sessions

IN SENATE

March 27, 2023

Introduced by Sen. HOYLMAN-SIGAL -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the judiciary law, in relation to appointments to the office of associate judge of the court of appeals

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 68 of the judiciary law is amended by adding a new subdivision 2-a to read as follows:

2-a. Whenever the governor's appointment, upon advice and consent of the senate, for chief judge of the court of appeals, causes a vacancy in the office of associate judge of the court of appeals, the governor may make an appointment for the associate judge vacancy from among the commission's recommendations for the preceding chief judge vacancy, provided that the associate judge vacancy occurs within sixty days from the promulgation of recommendations by the commission for the preceding chief judge vacancy. The governor may make such appointment immediately upon the occurrence of the associate judge vacancy. If the governor does not appoint a nominee from among those recommended for the preceding chief judge vacancy within fifteen days of the occurrence of the associate judge vacancy, or upon notice from the governor, whichever occurs sooner, the clerk of the court of appeals shall notify the commission of the vacancy. Notwithstanding any other limitations of time established by this section, the commission shall make its recommendations to the governor no later than one hundred twenty days after receipt of such notice, and the governor shall make his or her appointment from among those persons recommended to him or her by the commission no sooner than fifteen days nor later than thirty days after receipt of the commission's recommendations.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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